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DSD 34*	USIA 10*	NSA 3*
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DEPARTMENT OF STATE

AIRGRAM

POL 14 VIETS

FOR RM USE ONLY 1462

A-88 NO.

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HANDLING INDICATOR

TO : Department of State

INFO : BANGKOK, CINCPAC FOR POLAD, DANANG, USDEL FRANCE (2), VIENTIANE

FROM : Amembassy SAIGON

DATE: June 22, 1971

SUBJECT : Lower House Election Law

REF :

Transmitted as an enclosure to this airgram is the Embassy's translation of the Lower House election law, promulgated by President Thieu June 5, 1971. The Lower House election will be held August 29, 1971.

BERGER

DEPARTMENT OF STATE A/CDC/MR

REVIEWED BY Joan Gruber DATE 1/26/82

RDS☐or XDS☐EXT. DATE

TS AUTH. REASON(S)

ENDORSE EXISTING MARKINGS ☐

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Action Assigned to EA/VN

Action Taken

Date of Action 6/30/71

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Enclosure:
Lower House Election Law

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FORM 4-62 DS-323

Drafted by:	Contents and Classification Approved by:
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POL:JSylvester (in draft)	

1971 JUN 23 PM 3 22

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LOWER HOUSE ELECTION LAW

In accordance with the Constitution of the Republic of Viet Nam of April 1, 1967; and after the National Assembly has debated and voted;

THE PRESIDENT OF THE REPUBLIC OF VIET NAM

hereby promulgates Law No. 007/71 of June 5, 1971 prescribing the procedures for the Lower House Election; text as follows:

CHAPTER I. GENERAL PROVISIONS

Article 1. This law sets forth the procedures governing the election of the Lower House for the 1971 - 1975 term.

Article 2. The election of Deputies to the Lower House will be held on Sunday, August 29, 1971.

A Decree of the Prime Minister shall determine the details of the election schedule in conformity with the provisions of this law.

If in any locality polling cannot be organized for reasons beyond their control, mayors and province chiefs of that locality are authorized to postpone the elections until the earliest appropriate day after informing the Ministry of the Interior and with the consent of the Local Election Council stipulated in Article 11.

Article 3. Lower House deputies shall be elected by the voters in the electoral constituencies on an individual basis and by relative majority.

Each province and each city is a single electoral constituency.

The province of Gia Dinh is divided into two (2) constituencies as prescribed in the election of Deputies for the 1st term (1967 - 1971).

Saigon is divided into three (3) constituencies according to the criteria prescribed in the election of Deputies for the 1st term (1967 - 1971).

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The number of Deputies in the Lower House from each constituency will depend on the number of voters as set forth in Article 4.

Article 4. In principle, Saigon, each province, and each city fulfilling all legal requirements will elect one Deputy for every 50,000 voters. However, each province or city having fewer than 50,000 electors will also elect one Deputy. Any electoral district having over 25,000 voters above and beyond the round numbers of 50,000 will elect an additional deputy.

A decree of the Prime Minister shall fix the number of Deputies for each electoral constituency.

Article 5. Vietnamese compatriots of Cambodian, Montagnard, Cham and North Viet Nam Montagnard refugee descent, according to their origin, have the right to stand for election only in the constituencies that have reserved seats as follows:

Vinh Binh	1 Vietnamese of Cambodian descent
Ba Xuyen	1 Vietnamese of Cambodian descent
Chau Doc	1 Vietnamese of Cambodian descent
Kien Giang	1 Vietnamese of Cambodian descent
Bac Lieu	1 Vietnamese of Cambodian descent
Chuong Thien	1 Vietnamese of Cambodian descent
Quang Ngai	1 Vietnamese of Montagnard descent
Tuyen Duc	1 Vietnamese of Montagnard descent
Darlac	1 Vietnamese of Montagnard descent
Kontum	1 Vietnamese of Montagnard descent
Pleiku	1 Vietnamese of Montagnard descent
Phu Bon	1 Vietnamese of Montagnard descent
Binh Thuan	1 Vietnamese of Cham descent
Ninh Thuan	1 Vietnamese of Cham descent
Tuyen Duc	1 Vietnamese of North Vietnamese Montagnard refugee descent
Binh Thuan	1 Vietnamese of North Vietnamese Montagnard refugee descent

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CHAPTER II. VOTERS

Article 6. Voters to elect Deputies to the Lower House are Vietnamese citizens, irrespective of sex, who were 18 years of age as of December 31, 1970, are inscribed on the voters list, and are holders of duly issued voters' cards, except those deprived of the rights of citizenship by a court trial.

Each citizen may be listed on only one voter list.

Article 7. In Saigon, voter lists of each ward (phuong) will be established by ward chiefs with the approval of district chiefs and posted the first time on June 29, 1971 at the district and ward chiefs' offices and at all places where it is seen to be necessary specified by the Mayor.

In each province, voter lists of each village will be established by village chiefs, approved by District Chiefs and posted on the above mentioned day at the village and hamlet offices.

In each city, voter lists of each urban district (khu pho) will be established by the District Chief, or by the Mayor if there is no District Chief, and posted on the above mentioned day at the urban district office.

For military men and their families residing in military camps within the area of the electoral constituency, the voter lists will be established by the unit commander concerned, the battalion commander for regular troops and the company commander for Regional Forces, and transmitted to mayors or district chiefs for countersignature before posting.

A copy of the voter lists of the villages, urban districts, and wards will also be posted at the Saigon Prefecture, city administrative office, provincial headquarters, and district headquarters as appropriate.

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Any voter who changes his place of residence and who wants to cast his ballot at his new place of residence must make a declaration of this transfer to local authorities, in accordance with the current procedures governing family declarations, not later than June 19, 1971.

Voter lists will be established based upon family declarations and other supplementary documents.

Article 8. Civil servants and military men on missions, in the process of reassignment, or unable to return to places of residence where their names are registered on the voter list because of circumstances beyond their control, may cast their votes at their actual location on election day without having to previously register their names on the voter list.

In addition to their voting cards and identification cards, civil servants and military men must show a certificate indicating the case falls within special circumstances described above issued by responsible higher authorities.

In this case, the head of the committee in charge of the polling station must draw up a supplementary list of voters to be transmitted together with the report of election results to the Local Election Council described in Article 11.

Article 9. Any citizen who meets the requirements to be a voter but whose name is omitted from the voter list, or who notices some error in the inscription of his name on the voter list, has the right to complain.

The complaint must be lodged at the ward, village or urban district office no later than July 19, 1971. The office receiving the complaint shall supply a receipt and shall transmit the complaint along with its opinion through administrative channels to the Saigon Prefecture, city administrative office or provincial administrative office.

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After the expiration of the time limit for reception of complaints, voter lists and complaints (if any) will be transmitted by the mayors or province chiefs to the Local Election Council prescribed in Article 11 by July 24, 1971 at the latest.

Voter lists must be examined by the Council and returned to the appropriate administrative authorities by August 1, 1971 at the latest.

Administrative authorities will post the voter lists the second time at the locations fixed in Article 7 by August 9, 1971 at the latest.

Article 10. The procedures for making and issuing of voters' cards will be decided by the Ministry of the Interior.

Article 11. In Saigon, each city and each province, a Local Election Council will be established, with the following composition:

The Chairman is the presiding judge of the local Court of First Instance, Court of Peace with Extended Jurisdiction, or Court of Peace, or if there is no Court in this locality, a Judge designated by the Supreme Court.

Three members of the Municipal or Provincial Council who are not candidates for the Lower House, chosen by these bodies, will serve as members.

In the case there are not enough councilmen, a selection by lot will be made among the chairmen of village councils.

Two voters' representatives chosen by lot from a list of twenty notables drawn up by Municipal or Provincial Councils and who are not candidates for the Lower House, will serve as members.

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One representative of the city or province administrative office will serve as recorder and will have the right to vote.

CHAPTER III. CANDIDATES

Article 12. Citizens meeting the following conditions will have the right to run for the Lower House:

(1) Have Vietnamese citizenship since birth or have acquired it at least seven years or recovered it at least five years previous to the date of the election. Vietnamese nationality must be the only one at the present time.

(2) Be at least twenty-five years of age on election day.

(3) Enjoy all rights of citizenship.

(4) Have complied with military draft regulations.

(5) Have legal residence on Vietnamese territory for an uninterrupted period of one year before election day.

(6) Not come within the categories described in Article 13.

Article 13. The following persons will not be allowed to be candidates:

(1) Those sentenced for criminal offenses.

(2) Those sentenced for minor offenses of the following types: theft, swindling, breach of trust, forgery, violation of good morals, bribery, influence peddling, and embezzlement.

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(3) Those who have served more than three months' imprisonment for other minor offenses, except for those committed by carelessness and negligence. However, persons involved in traffic accidents and found guilty of fleeing the scene of the accident will not be allowed to run.

(4) Those who have been deprived of civic rights or the right to run by Court sentences according to laws now in force.

(5) Those under legal guardianship or struck by mental diseases.

(6) Persons who have gone bankrupt and are not yet rehabilitated.

(7) Persons who have not complied with orders to serve in the Armed Forces.

(8) Civil servants, military men, and government officials in all branches and of all levels, who have been suspended or dismissed for disciplinary reasons.

(9) Those who have worked for communism or pro-communist neutralism.

(10) Defeated candidates who did not receive the minimum number of votes fixed by law in previous elections, and who have not yet paid back to the Treasury the reimbursement fixed by law after receiving notification from the responsible agency. For the candidates in the 1967 Upper House election, the minimum number of votes necessary to be exempted from reimbursement is three percent (3%) of the total number of voters who cast votes.

The provisions of paragraphs 1, 2, 3, 4 and 8 cited above will not apply to those who have had their status

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restored according to provisions stipulated in Decree-Law 4/63 of December 24, 1963, or who have been granted amnesty by Decree-Law 083-SL/CT of January 29, 1964, Decree-Law 44/67 of October 30, 1967 and subsequent texts.

Those persons who have been sentenced for criminal or minor offenses for political reasons before April 1, 1967, may apply not later than June 9, 1971 to a council to decide that the sentence passed upon them does not justify disqualification. This Council will be presided over by the Chief Justice of the Supreme Court with two judges of the same court serving as members and will have to make a decision within one week following the date of application.

Article 14. Those persons who hold the positions listed below or who have left such positions within one (1) year of the election day will not be permitted to stand for election within the territory where they held office. Spouses of these persons will also be ineligible:

(1) - Saigon Mayor, Deputy Mayors, or Secretary General.

- Mayors, Deputy Mayors, Assistant Mayors, Municipal Secretaries General.

- Province Chiefs, Deputy Province Chiefs, Assistant Province Chiefs.

- Chiefs of Agencies and of Services in Saigon, cities and provinces.

- District Chiefs, Deputy District Chiefs and Assistant District Chiefs.

(2) Judges of Courts of First Instance, Courts of Peace with Extended Jurisdiction or Courts of Peace.

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(3) Command officials of the National Police from the level of service chief on up.

(4) Officers of the Armed Forces of the Republic of Viet Nam who are commanders, deputy commanders, chiefs of staff or bureau chiefs, or who control a military unit, from the battalion level up.

The above mentioned restrictions with regard to officials at the provincial level are also applicable to standing for election in cities situated in the province and vice versa.

Article 15. Civil servants and military personnel, without regard to how long they have served, who desire to run must apply for and will automatically receive leave without pay from the second posting of lists of candidates through election day.

Article 16. Applications for candidacy must be filed in duplicate, with the candidate's full name , aliases if any, date and place of birth, occupation, present residence, and a certified signature.

A candidate can file in only one constituency.

All candidates must establish an address in their respective constituencies as an official place of liaison with agencies responsible for organizing the election.

Article 17. Applications will be filed at the Saigon City Office, Provincial Administrative Office or City Administrative Office from 8 AM June 30, 1971 until 6 PM July 6, 1971.

In addition to the application, the file of each candidate must include the following documents:

(1) A regular birth certificate or a certificate replacing it.

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(2) A #2 extract of police record not older than three months.

(3) A certificate that the candidate has had continuous residence on Vietnamese territory for at least one year prior to election day issued by a mayor or province chief.

(4) A certificate that candidates have complied with military draft regulations for male civilian candidates, and a military service certificate and record of military service for male candidates presently serving in the Armed Forces of the Republic of Viet Nam.

(5) Symbol of the candidate and two 4 cm. by 4 cm. photographs.

(6) Receipt for deposit for electoral campaign expenses prescribed in Article 27.

(7) Full name and address of the candidate's representative on the election campaign committee stipulated in Article 23.

(8) A certificate attesting to Vietnamese naturalization or recovery of Vietnamese citizenship, if the candidate falls within the circumstances described in Article 12 (1). accompanied by a sworn statement made before a Notary Public, stating the candidate has only Vietnamese nationality at present.

(9) Written permission to take leave without pay or a receipt indicating such permission has been requested if the candidate is a civil servant or a military man.

(10) Incumbent Deputies and Senators have the right to stand for election if they file an application, and they are exempted from filing the documents prescribed in Paragraphs 1, 2, 3, 4, 8, and 9 of this Article.

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The administrative office which receives the application must immediately issue a receipt to the person filing it.

Article 18. Lists of candidates will be arranged according to the sequence in which they file, following hour, day, and month.

The above lists will be posted the first time at the Local Election Council's Headquarters on July 8, 1971 at the latest.

A record of this posting must be kept.

Article 19. Voters and candidates may file complaints with respect to candidates' qualifications with the Local Election Council during the period from July 9, 1971 through July 12, 1971.

Complaints must bear the name, age, identity card number and address of the complainant, be personally signed by him and be filed in person or by a lawyer representing him. The Local Election Council must issue a receipt to the person filing it.

Article 20. The Local Election Council has the duty of studying candidates' dossiers to decide whether their names are to be registered on the list of candidates.

This Council must conduct its review during the period from July 13, 1971 through July 16, 1971.

During the process of reviewing complaints, candidates against whom complaints have been filed have the right to be informed of the evidence and to defend themselves.

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The Council must invite all candidates to attend a meeting no later than July 17, 1971 to officially inform them of the decision to register them on, or eliminate their names from, the list of candidates.

During the period from July 18, 1971 through July 21, 1971, candidates whose names have been eliminated have the right to send to the Council requests for review of the registration or elimination of candidates. By July 24, 1971 at the latest, the Local Election Council must transmit to the Central Election Council the list of candidates along with the related files. The Local Election Council retains the files of candidates against whom there are no complaints and returns them to the local administrative agency while awaiting the date of the second posting of lists of candidates.

Article 21. In Saigon, a Central Election Council will be established with the following composition:

-The Chief Justice or Deputy Chief Justice of the Supreme Court	Chairman
-One (1) Judge appointed by The Supreme Court	Member
-One (1) Senator, chosen by the Upper House, who is not a candidate	Member
-One (1) Deputy, chosen by the Lower House, who is not a candidate (if any)	Member
-The Prosecutor or Deputy Prosecutor of the Saigon Court of Appeal	Member

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- The Vice Minister or Secretary General of the Interior Ministry will serve as reporter and will have the right to vote.

Article 22. The Central Election Council has only the duty of examining complaints about candidates' qualifications submitted by Local Election Councils. The Council must examine complaints from July 25, 1971 through August 1, 1971.

The list of candidates will be posted the second time at the office of the Central Election Council and at Saigon City Hall by August 4, 1971 at the latest, and at provincial, district and village offices by August 7, 1971. A record of this posting must be kept.

CHAPTER VI. THE ELECTION CAMPAIGN

Article 23. An Election Campaign Committee will be set up in each electoral unit; each candidate will participate in person or choose a representative.

The full name and address of each candidate's representative on the Election Campaign Committee must be communicated to local authorities by August 4, 1971 at the latest.

Candidates can replace their representatives during the entire election campaign.

In constituencies where seats are reserved for Vietnamese compatriots of Cambodian descent and minority compatriots, a separate election campaign committee will be established for these candidates.

Article 24. The Chairman of the election campaign committee will be elected by the candidates' representatives in the electoral constituency concerned.

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Chairmen of local campaign committees convene and control the debate of these committees. In the event of disagreement among representatives resulting in a tie vote, the vote of the Chairman is decisive.

Article 25. Local Election Campaign Committees will be convened by mayors or province chiefs by August 8, 1971 at the latest.

Article 26. All candidates will receive equal facilities in the electoral campaign.

Election campaign committees will be charged with the following tasks:

(1) To fix the number, size, color, and model samples of posters and leaflets. Each candidate will have a maximum of two kinds of posters not larger than 65 cm. by 100 cm. and two kinds of leaflets not larger than 20 cm. by 25 cm.

(2) To determine procedures governing press activities on behalf of candidates.

(3) To organize talks with the voters for the candidates or their representatives.

(4) To fix modes of use of sound trucks, radio stations, and television in those places where these facilities exist.

(5) To fix the date for beginning to put up posters and distribute leaflets, and inform the mayors and province chiefs.

(6) To determine modes of printing, transporting and distributing leaflets and posters.

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No one is allowed to make use of campaign means outside the number and modes fixed by the electoral campaign committee in accordance with this article.

The Vietnamese language will be used on posters and leaflets. However, in localities where there are many Vietnamese of Cambodian descent or of ethnic minorities, dialects can be used in parallel with Vietnamese.

Article 27. Expenses related to the organization of the elections will be borne by the national budget.

Concerning campaign expenditures, including the cost of candidates' pollwatchers, the national budget will cover only a maximum expense of three piasters per voter in the constituency for each candidate.

In any constituency where there are more than ten candidates, the total campaign expenses may not exceed thirty piasters for each elector in the constituency.

If the electoral campaign committee unanimously deems a larger amount necessary, the national budget will still only provide the above mentioned maximum sum and candidates must cover the extra expenditures by their own means.

Each candidate must deposit a sum of fifty thousand piasters (VN$50,000) at the Treasury Service to cover campaign costs.

In the event that the candidate withdraws his candidacy after campaign materials have been printed, or if he fails to receive the ballots of ten percent of the total number of voters who go to the polls in his constituency, the deposit mentioned above will not be reimbursed.

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In addition, in such cases the candidate must also reimburse the Treasury the difference between campaign funds expended on his behalf and the deposit, if the expenditure exceeds fifty thousand piasters. In any case, election campaign funds must be directly administered and paid out by the Interior Ministry.

Article 28. Symbols and photographs of each candidate, necessary for the printing of posters, leaflets, and ballots must be submitted to the election campaign committee for immediate transmittal to the administrative agency concerned no later than the day after the first meeting of the campaign committee.

Texts of posters and leaflets must be submitted to the election committee within the time limit set by the committee.

Candidates who want to change their symbols or photographs also must submit the new symbols and photos to the electoral campaign committee before the above-mentioned deadline.

Candidates are free to choose their own symbols, but queer symbols are forbidden. Symbols of political and labor groups are acceptable, except in cases where they are contested by the central executive committee of the group or union concerned.

Candidates may not choose symbols which are in any way similar to each other. If a candidate proposes a symbol similar to one already chosen he must change it. Incumbent Deputies running for re-election have priority to retain their former symbols. Symbols must be approved by the Election Campaign Committee.

Article 29. The election campaign will officially begin August 14, 1971 and will end at twelve noon on August 28, 1971.

Candidates or candidates' representatives noting a violation of the provisions of Article 26 or of this article have the right to request the local authorities (police, military police, process server) to make a report and to take appropriate measures to immediately put an end to any violation.

CHAPTER V. COUNTING OF VOTES AND ANNOUNCING RETURNS

Article 30. The printing of the ballots will be undertaken by the local administrative office or by the Ministry of the Interior. Ballots will be printed in black and white, and bound in booklets of 100 each, with the serial numbers of the ballots therein printed on the cover of the booklet.

The ballot of each candidate will be printed on a rectangular sheet of paper 12 cm. by 8 cm. (according to the attached model).

On each ballot, which will be serially numbered, will be printed only the full name of the candidate, plus the candidate's picture and symbol to allow voters to easily distinguish between candidates.

The candidate's name will be printed in letters not to exceed one centimeter in height. The symbol will be located in the upper right-hand corner, the candidate's picture in the upper-left-hand corner within a square 4 cm. by 4 cm.

Article 31. The location of polling stations will be decided by mayors and province chiefs and declared publicly by August 20, 1971 at the latest.

A committee composed of a chairman, a deputy chairman and an even number of members, at least two, will

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be in charge of each polling station. The chairman and deputy chairman will be appointed by mayors and province chiefs and will be chosen from among those people known for their seriousness and knowledge of electoral laws, but they must not be officials of the same service or office. The members will be chosen by the chairman from the voters present at the polling station when balloting begins.

Each candidate has the right to designate an observer in the polling station to witness the polling. Those persons must each have a certificate issued by the candidate, and certified by the administrative authorities.

The committee chairman is entrusted with the task of supervising the voting so that it will proceed in precise conformity with the electoral law. He is responsible for keeping order at the polling station.

The chairman is obliged to make a record immediately in the event of fraud or if a complaint is made by a candidate's representative.

The deputy committee chairman assists the chairman in the above duties and is in particular responsible for supervising the distribution of ballots.

The voting begins at 0700 and ends at 1600 the same day.

Article 32. Voters have to cast their ballots personally the polling stations. They cannot vote by mail or by prox,

When entering the polling booth, the voter is forbidden to carry weapons. He must show his voting card and his identity card in order to receive an envelope and a ballot for each candidate.

The person responsible for distributing the ballots must give voters one for each candidate and must alternate the sequence in which they are given to the voter.

In case of shortage of ballots for one or more candidates in the polling station the voting at this station must

be interrupted until there are ballots for all candidates.

This fact, if it occurs, must be recorded in the report.

In those constituencies which have seats reserved for Vietnamese of Cambodian descent or minority compatriots, voters will cast their ballots together, without distinction between ethnic Vietnamese and Vietnamese of Cambodian descent or minorities. However, in order to expedite vote-counting, balloting will be carried out in two or three consecutive processes if necessary: one to vote for Vietnamese candidates and one or two to vote for ethnic Cambodian or minority candidates.

For this purpose, if necessary, two or three boxes will be placed at each polling station: one for the ballots of Vietnamese candidates, one or two for ballots of Khmer or ethnic minority candidates.

Voters are strictly forbidden to take unused ballots out of the polling station; they must be torn apart and dropped in a container with a slot reserved for this purpose on the spot.

Upon leaving the polling booth, the voter will take with him the envelope containing the ballot, hold it high to show there is only one envelope, then drop it in the ballot box.

Any physically handicapped voter unable to cast his own vote may ask the committee chairman for permission to select a voter to help him. The committee chairman has full authority to decide on these cases.

After the voter has cast his ballot, a member of the committee in charge of the polling station will stamp the voter's voting card and cut off a corner of the card. The corners cut from voting cards must be preserved for counting the number of voters who have voted.

Article 33. Prior to the balloting, the chairman of the polling station must count and record the number of ballots of each candidate at the polling station. The chairman must

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also count and record the number of ballots of each candidate supplied in addition during the period of voting.

The ballot box has a small slot for inserting ballots. When the voting begins, the committee chairman opens the ballot box and shows it so the public can see that it does not contain anything.

Thereafter, the ballot box is locked with two different locks with one key kept by the committee chairman and the other by the oldest member of the committee.

If, when the voting is over, a key is missing, the ballot box must be opened by any means and the fact noted in the report.

Article 34. If there are many signs indicating that there may be serious sabotage during the counting of votes, mayors and province chiefs may authorize the committee in charge of the polling station to bring ballot boxes to a more secure place to count the ballots.

In such cases, the following measures must be strictly applied:

(a) Voters and candidates' representatives must be informed;

(b) Before moving the ballot boxes, the committee chairman must seal the slots in ballot boxes and the two keyholes of each ballot box as well as all necessary documents and files;

(c) From the start of the move until the counting of the votes, candidates' representatives and all committee members must be present.

These measures must be carried out and recorded in the report, if not, the polling at the polling station will be considered invalid.

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Article 35. When voting is over, votes will be counted in the following manner:

The committee chairman in charge of the polling station will appoint from among the voters present who can read and write a number who will count ballots. They will be divided into groups of four persons for each table to perform the task of counting the votes while being watched by candidates' observers.

The committee chairman must seal the slots of unused ballot boxes, and count the remaining quantity of ballots of each candidate and put them into a sealed envelope.

The committee chairman opens the ballot boxes and has the envelopes counted.

After the envelopes have been counted, the committee chairman must have the corners cut from the voters' cards counted for comparison. If the number of envelopes exceeds or is less than the number of the above mentioned corners, it must be noted in the report. The numbers of voters who have voted is the number of corners cut from the voters' cards.

The committee chairman puts some ballots on each desk for counting. At each desk, the first counter opens the envelope and hands each ballot to the second counter who reads aloud the names printed on the ballot. The ballot is then handed over to two other vote counters who check again and record it on the tally sheet.

Article 36. Ballots will be considered invalid in the following cases:

- If the envelope contains more ballots than the number of deputies prescribed for the constituency. If there are several ballots for one candidate, it will be considered valid and count as one vote.

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- If the envelope is different from those distributed to voters.

- If envelopes are empty or contain papers other than the ballots distributed.

- If envelopes or ballots contain additional words, written or symbols recorded.

- If the ballot is not inside the envelope.

- If the ballot shows additional or fewer names, or the name of the candidate has been changed.

- If the ballot is torn into two parts or the first or last name of the candidate has been torn off.

The committee chairman and one member of the committee must sign irregular envelopes and ballots, write clearly the full name of the irregular ballot on the envelope, and enclose them with the committee report stating the cause of the irregularity. Irregular envelopes must be placed in a carefully sealed envelope.

If the irregular envelopes and ballots are not enclosed with the report, the election will be annulled only in the case that the number of irregular ballots could modify the results of the election.

Article 37. Immediately after completion of the counting of votes, the committee in charge of the polling station will prepare a report in four copies, bearing the signatures of the committee members and of the observers present. If any observer refuses to sign, this fact must be recorded in the report.

In each constituency, the chairman of the committee in charge of the polling station will post one copy of the report at his station, keep one copy and forward the two remaining copies directly to the main polling station of the

constituency together with the file, for a summing up of the results in the constituency.

Each observer present will receive a certificate confirming the returns signed by the chairman of the committee in charge of the polling station.

The records of each polling station are divided in two parts and sealed separately:

Part A:

Report on the activities of the committee in charge of the polling station.

Tally sheets.

Irregular envelopes and ballots.

Envelopes and ballots the validity of which has been contested, if any.

Part B:

Ballots not distributed to voters.

List of registered voters.

Corners cut from voters' cards.

Article 38. Each constituency must have a main polling station.

The committee in charge of the main polling station consists of a chairman, two deputy chairmen and an even number of members, at least four.

The chairman and members of this committee are appointed in conformity with the procedures specified in Article 31.

Candidates or their representatives have the right to witness the operation of this station.

The committee in charge of the main polling station has the task of summing up the votes cast in the constituency, drawing up a report in triplicate posting the temporary results for the constituency and transmitting all electoral documents to the Local Election Council.

Article 39. The candidates who receive the largest numbers of votes within a given constituency will be declared elected within the limit of the number of seats fixed for the constituency. In the event of a tie vote, the older candidate will be declared elected.

In the event that a winning candidate dies, resigns, or for any reason cannot fill his position before being validated, an election to choose his replacement will be organized within three months.

Any candidate who runs in several constituencies may not be declared elected in any constituency.

In those constituencies where seats are reserved for Vietnamese citizens of Cambodian descent or minority compatriots, the results of the election must be calculated separately for candidates of Vietnamese descent and for candidates of Cambodian descent or minority compatriots.

Article 40. Candidates and voters have the right to complain about the conduct of the voting in their respective constituencies.

Complaints, citing reasons therefore, must be submitted to the office of the Local Election Council no earlier than August 30, 1971 and no later than September 1, 1971.

Upon receiving a complaint, the office of the Local Election Council must give a receipt to the person submitting the complaint, and must stamp the date on the document submitted to confirm the date of its receipt.

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Article 41. Local Election Councils will examine and decide upon irregular ballots or ballots about which there have been complaints in their respective constituencies, will tally the results of the balloting, and will announce the official results of the election in their constituencies on September 3, 1971.

Afterwards, they will send their report and all necessary documents to the Lower House for the subsequent validation of the Deputies.

The results of the election must be published in the official journal of the Republic of Viet Nam.

CHAPTER VI. COMPLAINTS AND PENALTIES

Article 42. Anyone caught red-handed bringing one or more unused ballots out of the polling station shall be fined from $VN 1,000 to $VN 5,000, or imprisoned from one to seven days, or both.

Article 43. An official in charge of a polling station who does not alternate the sequence of the ballots when distributing them to the voters, or who does not distribute them in sufficient quantity, or the chairman of a polling station who does not completely fulfill his duties enumerated in Article 34, will be fined from $VN 5,000 to $VN 50,000 and imprisoned from one month to one year.

Article 44. All violations related to the free and honest character of the election of Deputies shall be penalized according to the stipulations of Articles 35 through 47 of Law 01/67 of June 15, 1967 fixing the procedures for the election for the first term of the President and the Vice President.

Parliamentary privilege cannot be claimed to avoid prosecution related to violations of the election law.

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Article 45 (1) Complaints with regard to violations of the election law must be filed at the Court of First Instance or Court of Peace with Extended Jurisdiction where the violation occurred, at the latest three (3) days after the election day.

(2) The Court must pass judgement no later than seven (7) days after the election day.

(3) Appeals must be lodged within three (3) days from the day of judgement.

(4) The Court of Appeal must reconsider the case within the limit of seven (7) days after the expiration of the time limit for appeal.

(5) The time limit for the last appeal to the Supreme Court is three (3) days from the day of judgement.

(6) The Appeal Committee of the Supreme Court must reach a decision at the latest (3) three days after the expiration of the time limit for the last appeal.

Article 46. (1) Candidates whose election is annuled by the Court's decision possibly will not be validated.

(2) Pending a definitive court ruling, accused candidates who have been elected have the right to participate in the affairs of the Lower House. In deciding on the validation of the election of deputies the Lower House will base itself upon definitive court rulings.

(3) In case of invalidation, in accordance with Article 35, paragraph 1, of the Constitution, a decree of the Prime Minister will fix the election of a replacement to be organized within three (3) months of the decision of the Lower House.

Article 47. All Court records and records of sentence related to this election are exempt from stamp tax and registration fees.

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Article 48. Provisions of existing laws contrary to this one are annulled. This Law shall be promulgated in accordance with urgent procedures and published in the official journal of the Republic of Viet Nam.

Saigon, June 5, 1971

Nguyen Van Thieu

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